

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

X

06-CV-574  
FILEDIN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.

FEB 1 2007 SEP 29 2006 \*

BROOKLYN OFFICE  
NOTICE OF MOTION06cv ~~0800574~~ (ABC)

[docket number] [judge's initials]

X

H. Katz Plaintiff,  
against  
Joe R MOGUS  
All That Glitter Inc Defendant(s).

PLEASE TAKE NOTICE that upon the annexed affidavit or affirmation Joe R Mogsus sworn to or affirmed September 27, 2006 and upon the complaint herein, Joe R Mogsus Plaintiff will move this Court, Honorable Dennis L. Cuffe, Jr., Esq. (Judge's name) U.S.D.J., in room \_\_\_\_\_ United States Courthouse, Brooklyn, New York, 11201, on the 27<sup>th</sup> day of Sept 2006, at (time) or as soon thereafter as counsel can be heard, for an order pursuant to Rule \_\_\_\_\_ of the Federal Rules of Civil Procedure granting

by Motion for a Dismissal of the case  
06 CV 05474 Katz vs Joe R Mogsus  
Benton OREGON All That Glitter Inc  
Dated: County New York

Date Sept 27/2006

Joe R Mogsus  
Joe R Mogsus  
PLAINTIFF PRO SE

mail  
General G Delivery  
Concord Oregon

97333

Phone

541-929 5462

Motion Attached

OR:

WHEREFORE, I respectfully request that the court grant the within motion, as well as such other and further relief that may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

Sept 27 /2006

Date:

Joe R. Moog  
Your Signature

Print your name

Joe R. Moog

Sept 27 / 2006

As you I urge this honorable court to dismiss this case 06cv05474 - Katz vs Mager/All That Gitter. Just yesterday Sept 26/2006 at long last I received from Plaintiff(s) attorney Klein his response to motions filed.

As I recollect this court had established a return date of May 27/2006 - this date never being changed or amended. Attorney Klein's response, 4 months late - he apparently chose to ignore, disregard the court established date.

I do not think this is by accident but rather by design - to respond late, less than 10 days before our conference of Oct 6/2006 this a rather tawdry attempt on his part to preclude a response or rebuttal to the points he has made - his design appearing obvious to me and I think to this court.

Why I must ask if I, as a Pro Se defendant can respond in days must be a professionally officer of the court disregard court instruction and take many months to simply respond. Again I urge this honorable court to dismiss this case.

Thank You

Sincerely

Joe R Mager

Joe R Mager

\* PS. on Back!

In ~~earlier correspondence~~ the next I have asked  
Case# 0706-08005-POL-148 Document 2536 Filed 09/23/07 Page 5 of 5  
the court to please grant extension of Oct 6 to  
30 days more -

I will make a succinct and point by point  
rebuttal of the Klein correspondence of Sept 26

Thank You

John J. Frank  
Frank & Associates

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORKH Katz

Plaintiff,

-against-

Joe R Mogs / All ThatDefendants. Glitter Inc.

Affirmation of Service

06 cv 05474,

I, Joe R Mogs, declare under penalty of perjury that I have served a copy of the attached Notice of Motion and Affirmation/Affidavit in support upon Plaintiff attorney Schmuel Klow

whose address is 268 Route 59Spring Valley New York 10977Dated: Sept 27/2006  
New YorkCovallis OregonJoe R Mogs  
SignatureGeneral Delivery  
AddressCovallis Oregon 97333  
City, State & Zip Code541-929 5462  
Telephone